

**KENTUCKY BOARD OF EDUCATION
REGULAR MEETING
APRIL 13, 2011**

**STATE BOARD ROOM
1ST FLOOR, CAPITAL PLAZA TOWER
FRANKFORT, KENTUCKY**

SUMMARY MINUTES

The Kentucky Board of Education held its regular meeting on April 13, 2011, in the State Board Room, First Floor, Capital Plaza Tower, Frankfort, Kentucky. The board conducted the following business:

Wednesday, April 13, 2011

CALL TO ORDER

Chair David Karem called the meeting to order at 8:30 a.m. and asked that everyone please turn off or mute their cell phones. Karem requested that everyone have a moment of silence in honor of Representative Dwayne Bunch, who is in serious condition in the hospital. He then asked Mary Ann Miller to call the roll.

ROLL CALL

Present for the meeting were C.B. Akins, Dorie Combs, Judy Gibbons, Billy Harper, David Karem, Martha Jones, Robert King, Roger Marcum, Jonathan Parrent, Brigitte Ramsey and Mary Gwen Wheeler. William Twyman joined the meeting in progress at 8:37 a.m.

ANNOUNCEMENTS

Chair Karem made the following announcements:

- A revised agenda was sent to the board, posted on the web and provided on the materials table with the following changes made to it:
 - All times on the agenda were revised to reflect EDT instead of EST.
 - The report of the Curriculum, Instruction and Assessment Committee on Action/Discussion items was added as Item XV.
- The order of two items were changed as follows:

- Item XI.C., first agenda item, Preliminary Discussion on Content of the Program Review Regulation will occur before Item XI.B., 702 KAR 5:220, Recognition and Support for Schools and Districts.

APPROVAL OF MINUTES FROM THE FEBRUARY 2, 2011, REGULAR MEETING

C.B. Akins moved approval of the February 2, 2011 minutes and Brigitte Ramsey seconded the motion. The motion carried.

INTRODUCTION OF NEW KDE EMPLOYEES AND KDE TEAM MEMBERS OF THE MONTH

Commissioner Holliday introduced the following new Kentucky Department of Education employees:

- Tom Stratton – Administrative Branch Manager – Office of Administration & Support – Division of Budgets & Financial Management

The commissioner then recognized the following Team Members of the Month:

- February –Renee Boss – Office of Next Generation Learners – Division of Program Standards
- March – Anita M. Fleming – Office of Guiding Support Services – Division of Communications & Community Engagement

REPORT OF THE PRESIDENT OF THE COUNCIL ON POSTSECONDARY EDUCATION

President King offered the following comments in addition to his written report:

- A new brochure was handed out that gave an overview of the new Council on Postsecondary Education's Strategic Agenda that was adopted by that board. King indicated that he would spend a few minutes describing the strategic agenda to Kentucky Board of Education members.
- The statute that created the Council on Postsecondary Education obligates that board to create a new strategic agenda every four years. This new agenda is the result of a year-long process that was interactive and involved staff and many constituents.
- The challenge simply stated is that the educational attainment of Kentuckians between the ages of 25 and 44 with Associate Degrees or higher is below the national average. The charge set out in HB 1 from 1997 is to move Kentucky to at least the national average. The good news is that the gap is getting smaller but it is a moving target and we need to move faster than the rest of the country.

- Fifty-seven percent of incoming freshmen meet college readiness standards but this means that 43% do not.
- At this point in time, less than 50% of full-time students finish a bachelor's degree in six years.
- All of this is having an impact on Kentucky's ability to be economically competitive.
- Relative to the strategic agenda, the vision is for all Kentuckians to be prepared to succeed in a global economy. The commission is to deliver a world class education to students, create and apply new knowledge and grow the economy of the Commonwealth.
- The plan has four principal areas of focus:
 - College readiness
 - Student success
 - Research
 - Economic and community development
 - Efficiency and innovation
- Near the back of the strategic agenda is a description of the metrics that will be used to measure success. Each campus will set targets.

REPORT OF THE EXECUTIVE DIRECTOR OF THE EDUCATION PROFESSIONAL STANDARDS BOARD

Executive Director Phillip Rogers made the following comments:

- At the May Education Professional Standards Board meeting, amendments will be proposed to regulations focused on raising admission requirements, increasing the number of clinical experiences prior to student teaching and changing the student teaching so that its evaluation is through performance assessments.
- Another committee is working on raising the cut score on Praxis II.
- Also, we are looking at the Interstate Teacher Assessment and Support Consortium (InTASC) standards for alignment with the Kentucky Teacher Standards.
- A group is working on retooling the accreditation process so that it is a continuous review electronically instead of on a cycle basis.
- Still another group is working on how to move native language speakers into the classroom.

REPORT OF THE COMMISSIONER OF EDUCATION

Commissioner Holliday reported that over 42,000 teachers and principals responded to the TELL Kentucky Survey. All partners are to be thanked for their assistance in getting this tremendous response. The data will be back in April and we hope the board will examine the data at the June meeting in a work session for the purpose of policy development.

At this point, Judy Gibbons asked the commissioner if he had any response from the federal level on Kentucky's potential waiver request for the new accountability system to be accepted in lieu of the current AYP model.

Commissioner Holliday replied that Senator Paul and Representative Chandler's staffs were supportive of flexibility when he met with them recently. He said that either the Elementary and Secondary Education Act would be reauthorized with flexibility that would allow implementation of Kentucky's model or if not reauthorized, then a waiver would be requested. Holliday noted that Secretary Duncan is watching to see if the board finalizes the new accountability model today.

GOOD NEWS ITEMS

The following items of good news were made by the noted individuals:

- Mary Gwen Wheeler – The 2011 Governor's Cup statewide academic competition was held in Lexington recently with the following schools taking honors:
 - High school overall – First Place: Russell High School, Russell Independent; Second Place: Paul Laurence Dunbar High School, Fayette County; and Third Place: DuPont Manual High School, Jefferson County
 - High school quick-recall competition – Paul Laurence Dunbar, Fayette County
 - High school future problem-solving competition – Johnson Central High School, Johnson Co.
 - Middle school overall – First Place: Meyzeek Middle School, Jefferson Co.; Second Place: Johnson County Middle School, Johnson Co.; and Third Place: Drakes Creek Middle, Warren County
 - Middle school quick-recall competition – Meyzeek Middle School, Jefferson County
 - Middle school future problem-solving competition – Paintsville Middle School, Paintsville Independent

Congratulations to the teams from all of these schools for their outstanding performance at the Governor's Cup competition!

- Martha Jones - Pikeville sixth-grader Emily Keaton won the Kentucky Derby Festival Spelling Bee on March 19 by spelling the word "ankylosaur". This is the second year in a row that Emily has been the champion.

Emily won a \$10,000 savings bond and a ride on a float in the 56th annual Pegasus Parade as part of the Derby festival on May 5.

Congratulations to Emily Keaton for achieving this honor two-years in a row!

PUBLIC COMMENT SEGMENT

No individuals signed-up to speak during this portion of the meeting.

***CONSIDERATION OF APPROVAL OF RESOLUTION TO SUPPORT THE
COMMONWEALTH COMMITMENT TO COLLEGE AND CAREER READINESS PLEDGE***

Commissioner Holliday indicated that he wanted the Kentucky Board of Education to join the university presidents and First Lady in their commitment to increasing our rate of college and career readiness. He explained that he asked superintendents and local board chairs to show the same commitment and that 174 districts signed the pledge. Holliday stated that he is asking the board to adopt a resolution indicating its support of the Commonwealth Commitment to College and Career Readiness Pledge.

At this point, Chair David Karem read the resolution as follows:

***Resolution Supporting
“The Commonwealth Commitment to College and Career Readiness”
by the
Kentucky Board of Education
Commonwealth of Kentucky***

- Whereas,*** The Kentucky Board of Education is committed to the continual improvement of the education system to ensure the success of all students; and
- Whereas,*** Too many students graduate from high school underprepared for college-level work and careers; and
- Whereas,*** Senate Bill 1 (2009), passed by the Kentucky General Assembly, requires P-12 and postsecondary education leaders to produce a plan to reduce remediation of high school graduates entering college by 50%, and this plan has been produced collaboratively by Kentucky’s P-12 and postsecondary education leaders with the key elements being acceleration, interventions, advising and supports for persistence to graduation; and
- Whereas,*** In September 2010, campus presidents from Kentucky’s colleges and universities signed a resolution pledging their commitment to be full partners with the Kentucky Department of Education in preparing high school graduates to be college and career ready; and
- Whereas,*** The new state accountability model, as approved by the Kentucky Board of Education, will include a college and career readiness measure to emphasize the importance of schools focusing on marked improvement in this area; and

Whereas, The local superintendents and board chairs from 174 school districts have courageously signed “The Commonwealth Commitment to College and Career Readiness” pledging to increase the rate of college and career readiness of their districts’ high school graduates by 50% between 2010 and 2015;

NOW, THEREFORE, be it resolved that the Kentucky Board of Education commends the P-12 and postsecondary partners and those local school districts that signed the “Commonwealth Commitment” for their unified focus on increasing college and career readiness statewide, and lends its support to ensuring that students are prepared for college and careers.

***Done in the city of Frankfort, this
thirteenth day of April, in the year Two
Thousand and Eleven.***

Brigitte Ramsey moved to adopt the resolution and Jonathan Parrent seconded the motion. The motion carried.

703 KAR 5:200, NEXT GENERATION LEARNERS (FINAL)

Associate Commissioner Ken Draut and Division Director Rhonda Sims came forward for this agenda item. Associate Commissioner Draut indicated that there are two areas of concern yet to be settled before the regulation is finalized. He said these were end-of-course results being included in student’s course grades and the basis for inclusion of students in accountability reporting.

Dorie Combs interjected that she was concerned about all of the accountability being contained in the first column found in the chart on page 27 of the agenda book.

Ken Draut reminded the board that in a previous discussion it was decided to have each portion of the model stand alone. However, he indicated that decision would be revisited today and said he has a handout to use as a discussion guide on this topic.

Commissioner Holliday added that Senator Harkin has a more holistic approach beyond just mathematics and reading for adequate yearly progress.

Dorie Combs added that she is starting to see an abandoning of arts or other areas because people don’t think these will count very much in the accountability model.

Ken Draut asked the board to go ahead and look at the handout he had configured for this discussion. Draut noted on page 1 of the handout that it showed currently there are three parts that stand alone, Next Generation Learners, Next Generation Professionals, and Next Generation Support. He noted that the question is whether the board wants an overall score for a school. He referenced that on page 2 of the handout it shows how this configuration could work with each box having a blank for a percent that it would contribute to an overall profile score.

Commissioner Holliday stated that in October staff asked the board for direction on this matter and the board said three different ratings. Now, he felt that reconsideration should be given to an

overall rating and that if the board wants to reconsider this, staff will go back to the field to get input on it so that regulatory language could be brought forward for the first reading in June and final action in August. He added that the program review regulation would also be on that same schedule.

Brigitte Ramsey stated that she is getting questions from the field indicating that program review is not clearly measured and that the board might consider moving it into the Next Generation Learners box, which is measured by the regulation the board is considering today. She then asked if Superintendent Lu Young would comment on the two models and the placement of program review within accountability.

Superintendent Young said that the School Curriculum, Assessment and Accountability Council (SCAAC) had a conversation about the three-part, stand-alone model so as not to mask any part of accountability. She indicated that SCAAC is comfortable with the stand-alone approach. Young noted that SCAAC did have a conversation about program review not taking a back seat to Next Generation Learners. She emphasized SCAAC does not want any component to mask performance.

Jay Parrent, Mary Gwen Wheeler, Bill Twyman and Roger Marcum all expressed concern about changing the approach and felt that the three pillars are stronger by standing alone.

Ken Draut responded that the individual pillars would still be there but would then be merged into one score, which would be the best of both worlds.

Dorie Combs stated that she wants some way for the program reviews to count and show up because districts are looking at making cuts and targeting the arts. She said that somehow the program reviews need to be obvious in the accountability system.

Commissioner Holliday explained that by going to an overall rating that a simpler framework could be used where one rewards and consequences regulation for the whole system could be drafted.

Brigitte Ramsey added that she felt Next Generation Support Systems should be moved next to Next Generation Learners and that the working conditions surveys should be incorporated into Next Generation Professionals. She also suggested that Next Generation Support Systems be renamed Next Generation Instructional Programs. At this point, Brigitte Ramsey moved to put Next Generation Support Systems next to Next Generation Learners in the chart on page 27 of the Agenda Book and Roger Marcum seconded the motion. The motion carried. Additionally, Brigitte Ramsey moved to change the name of Next Generation Support Systems to Next Generation Instructional Programs and Support and Dorie Combs seconded the motion. The motion carried. No decision was made on whether to move working conditions into another pillar.

Ken Draut then moved on to areas where staff needed specific direction. The first of these was on how much to count end-of-course assessments for a grade. He said that the language now says “may” and staff thought that up to 25% would be appropriate with the stipulation that if a district uses less, a letter to the commissioner explaining why would be necessary. Draut indicated that

SCAAC thought districts should determine the percentage and said another option is to give a range within the regulation.

Judy Gibbons thought that using “may” weakens the use of end-of-course assessments and expressed that “shall” should be used.

General Counsel Kevin Brown explained that “shall” could be construed as interfering with district and school council authority; thus, he said “may” was used along with the letter if districts do not use the recommended percentage.

C.B. Akins noted his concern for students who do not test well because 25% of a final grade could impact these students negatively.

Commissioner Holliday said he felt it should be “shall” but since the proposal was put out for review, pushback had occurred. He noted that staff gave the board stakeholder feedback for the percentage.

Dorie Combs pointed out that the Kentucky Association of School Councils expressed concern about the 25% and she emphasized that grade point average is huge for scholarships and college entry. Combs felt that 25% is a lot to make as a portion of the final grade when the board does not know a lot about the test itself.

Billy Harper and Brigitte Ramsey felt that from an employer’s viewpoint, if students do not know the content then it needs to be known. They also felt that K-12 students need to get to the point where they are fighting for their own success.

Chair Karem felt that without a number, the language would be meaningless and proposed the board look at a compromise of 1/5 or 20%.

At this point, Mary Gwen Wheeler moved to accept the language on page 3 of the regulation, line 18 thru 22 and on page 4, lines 1 and 2 with the exception of changing 25% to 20%. Brigitte Ramsey seconded the motion and it carried.

Associate Commissioner Ken Draut then moved on to page 2 of the discussion paper focusing on the 100-day rule. He indicated that two options were provided for the board’s consideration.

Roger Marcum moved to approve the second option that was recommended by SCAAC indicating that all students enrolled for 100-days (i.e., full academic year) are included in school and district accountability in the calculation of achievement, gap, growth and college and career readiness rate for schools and districts. For graduation rate, students enrolled and students earning diplomas are included in the calculation. Martha Jones seconded the motion and it carried.

At this point a motion was needed to approve the regulation, 702 KAR 5:200, and C.B. Akins moved to give final approval to the regulation as amended with a second by Martha Jones. The motion carried.

PRELIMINARY DISCUSSION ON CONTENT OF THE PROGRAM REVIEW REGULATION

Associate Commissioner Felicia Smith came forward for this discussion and said that staff needs to get feedback to shape the regulatory language relative to program reviews. She indicated that questions were raised in the staff note to which the board can respond. Smith said that the work on the program review rubric is being finalized and then asked for the board's input relative to the content of this regulation.

Bill Twyman asked if there has been any discussion about when the state will do audits or spot checks relative to the program reviews.

Felicia Smith said that this will be part of the process and that fourteen districts will be randomly selected to go through an in-depth evaluation to see if they are rating themselves correctly.

C.B. Akins commented that in the definition of the program review, it was not clear how this would give him a snapshot on performance of under-represented groups.

Felicia Smith said that she had noted this comment and would go back to address it.

Dorie Combs was concerned that schools and districts are not clear what they need to be doing right now relative to program reviews.

Felicia Smith replied that in March a technical assistance session was held and that schools and districts can be looking at the current draft of the rubric. She went on to say that staff will be looking at the work of the pilot program as well to share this information with schools and districts. Smith then moved on to say that she had heard from board members that adequate weighting needs to be established as well as cut scores. She asked the board to look at pages 2 and 3 of the staff note to see if the weighting was appropriate.

Brigitte Ramsey said she saw no reason to move away from the approach that was used.

Roger Marcum expressed concern as to whether the approach could be obtainable due to hard economic times.

Felicia Smith said staff feels that proficient is an obtainable level.

Dorie Combs added that she liked equal weights for program review but was not sure the survey participation rate fits into this category. Judy Gibbons agreed.

Commissioner Holliday said that the category has been renamed and that staff could look at the survey weight and bring back a recommendation to the August meeting.

Mary Gwen Wheeler said that using a rubric and self-reporting may not be reliable and asked if points could be given for each category to simplify the model.

Commissioner Holliday said that staff is having to take advice from the National Technical Advisory Panel on Assessment and Accountability but said that before the August meeting, staff could check with SCAAC and NTAPAA to see if a point approach might be used.

Felicia Smith pointed out that comments from some superintendents reflected that awarding rewards and consequences for program review would be an issue.

Brigitte Ramsey emphasized that wherever rewards and consequences were placed, program reviews must have these.

CONTINUED EXPANSION OF SCHOOLS PARTICIPATING IN ADVANCEKENTUCKY

Associate Commissioner Felicia Smith pointed out that AdvanceKentucky is aligned with the department's college and career readiness initiative and she then introduced Joanne Lang, Executive Director of AdvanceKentucky to talk about the program.

Ms. Lang said she was here today to announce 20 new high schools that are joining the AdvanceKentucky program which brings to 64 the number of high schools that are implementing the AP teacher training and incentive program. Lang referred the board to the handout that was provided from the Kentucky Science and Technology Corporation. She indicated that the goal is to reach serving 50% of Kentucky's high schools by 2014 and said AdvanceKentucky is on target to reach this goal and will do so due to support from the Kentucky Department of Education and the Council on Postsecondary Education.

Council on Postsecondary Education President Robert King said that this program is very impressive and powerful. He felt that the challenge will be how to take it to scale and sustain it.

Commissioner Holliday said that this discussion should plant a seed for this program to be part of the budget discussion as a top priority.

702 KAR 5:220, RECOGNITION AND SUPPORT FOR SCHOOLS AND DISTRICTS

Associate Commissioner Larry Stinson said that the board could use today's discussion as the first reading of the regulation or if board members want to consider a change in direction to an overall rating in accountability, today's discussion would take the feedback with the first reading being in June. He asked how the board would like to proceed.

Brigitte Ramsey said at this point, she thinks the department needs to come back with a recommendation and what this would mean for rewards and consequences.

Billy Harper added that he thinks accountability and consequences within each pillar will make a difference and thought that how strong each pillar is will be the key. He felt that an overall score would get lost.

C.B. Akins said he thought the board was considering looking at individual scores for each pillar plus an aggregate.

Ken Draut said that approach could be used along with one regulation for rewards and consequences.

Bill Twyman said that when you roll everything into one rating his concern is that certain things would get lost.

Dorie Combs advocated for both an overall score and individual pieces.

Chair Karem said that he is hearing the first review of the regulation would be June with final approval in August. The board agreed.

UPDATE ON RECOMMENDATIONS FROM THE TRANSFORMING EDUCATION IN KENTUCKY TASK FORCE REPORT

Commissioner Holliday reminded the board that the recommendations from the Transforming Education in Kentucky Task Force have been published. He referred the board to a chart starting on page 54 of the Agenda Book that illustrated how the recommendations will be implemented and how they align with the Kentucky Department of Education's Strategic Plan. The commissioner noted that two things will come out of these recommendations fairly quickly with the first having to do with earning college credit while in high school. He noted that the department has signed an MOU with Jobs for the Future that will help to accelerate these opportunities. He indicated that six grants or start-up programs in early college have been awarded. Holliday went on to say that online learning and blended learning will be looked at with the help of Jobs for the Future and that they will assist in drafting potential budget, policy and statutory changes for consideration.

The second recommendation that the commissioner highlighted had to do with pulling together a group to look at the recommendation around career and technical education in Kentucky and how to make the system more efficient and effective for students. Holliday clarified that the work on recommendations for both earning college credit while in high school and on career and technical education are due back by September so that the board will most likely consider key budget, legislative and policy language at the October meeting. He encouraged state board members to let Mary Ann Miller know if they would like to serve on the groups related to either of these topics.

2010-2012 BIENNIAL BUDGET UPDATE FOR THE KENTUCKY BOARD OF EDUCATION

Associate Commissioner Hiren Desai and Division Director Charles Harman came forward for this agenda item. Desai summarized that the item to solve the Medicaid shortage as well as the Council on Postsecondary Education item related to EduJobs passed during the special session. He reminded the board that the Governor still has to deal with efficiencies that the legislature charged him with making during the coming year.

Next, Charles Harman gave an overview of the budgeting process using a PowerPoint presentation. Within the presentation he defined the content of the budget, specific budgeting terms, budget cost categories, the different budget bills that are produced for consideration, the biennial budget calendar and the six-year capital plan/capital budget.

2011 ELEMENTARY AND SECONDARY LEGISLATION

Associate Commissioner Kevin Brown and Legislative Liaison Tracy Herman came forward to provide an update from the regular and special legislative sessions. Ms. Herman went over highlights of legislation using a summary chart that was prepared for the board. She commented that the dropout bill had an overall sentiment of support but indicated it became a political issue. She stated that it will most likely be reconsidered during the 2012 session.

Kevin Brown added that there seemed to be a better understanding of the commissioner's vision for alternative education during these sessions and that the department is going to proceed as much as possible under current statutory authority to implement some of those initiatives.

Ms. Herman said that relative to federal cuts, conversations have been held with some of the congressional offices and although we don't have a state by state breakdown, we do know that it will result in a \$368,000,000 cut for education. Kevin Brown added that as we find out more, the information will be sent out to the board.

Associate Commissioner Brown then reminded everyone that all seven Kentucky Board of Education members were confirmed. He said that relative to the graduation bill, sometimes it takes multiple efforts before a major bill like this is passed. He felt like good progress was made this time relative to the concept.

David Karem stated that characterizing the graduation bill as an unfunded mandate was used a lot to justify not passing the bill. He felt this needs to be turned around to focus on an uneducated workforce because the unfunded mandate is not graduating students. Karem emphasized that we need to be aggressive with this message.

CONSIDERATION OF THE CHRISTIAN COUNTY BOARD OF EDUCATION APPEAL OF COMMISSIONER'S DETERMINATION OF SBDM PURSUANT TO 160.346

General Counsel Kevin Brown and Assistant General Counsel Amy Peabody came forward for this item. Brown stated that the board must decide if the commissioner's determination for removal of the school-based decision making council at Christian County High School is to be upheld. He went through the history of the issue and said that the commissioner disagreed with the leadership assessment's recommendation.

Bill Twyman asked if there can be an appeal of the board's decision.

Kevin Brown replied that it can be taken to circuit court just as any decision made by this board.

Jonathan Parrent then asked when the authority would come back to the council at Christian County High School.

Kevin Brown responded that when the school makes AYP for two years then the authority returns to the council.

At this point Dorie Combs moved to uphold the commissioner's decision relative to the council at Christian County High School and Martha Jones seconded the motion. The motion carried.

HEARING OFFICER'S REPORT

Associate Commissioner Kevin Brown provided the board with a written report on the consideration of its regulations. It included:

The following regulations were reviewed by the House and Senate Education Committees on February 2-3

703 KAR 5:190 – Assistance to low achieving schools

703 KAR 5:171 – Repeal of 703 KAR 5:170

704 KAR 3:303 – Required core academic standards

704 KAR 3:305 – Minimum requirements for HS graduation

Regulations to be reviewed by the Administrative Regulation Review Subcommittee (ARRS) on April 12

702 KAR 7:125 – Pupil Attendance (A public hearing was scheduled for March 29; no requests to appear at the hearing were received; therefore, the hearing was canceled. No written comments were received.)

Upcoming Public Hearing

April 28, 2011 - 702 KAR 7:065, Designation of agent to manage high school interscholastic athletics

Regulations to be reviewed by the Administrative Regulation Review Subcommittee (ARRS) at its May Meeting

702 KAR 7:065 – Designation of agent to manage high school interscholastic athletics

MANAGEMENT COMMITTEE MEETING

Action/Discussion Items

1. **Kentucky High School Athletic Association (KHSAA) Board of Control Appointment.** Associate Commissioner Larry Stinson came forward for this item. He explained that the Kentucky Board of Education appoints four at-large members to the KHSAA Board of Control. Stinson noted that a cross-agency review panel was used to review all applications for the position and clarified that only those meeting all of the qualifications

were considered. Stinson clarified that it was a blind screening for making the recommendation to the commissioner. He announced the commissioner is recommending Dana Guyer for appointment to the KHSAA Board of Control.

C.B. Akins said he appreciated the information sent to the board about the makeup of the entire Board of Control and then moved to approve Dana Guyer as the new appointment to the board. Bill Twyman seconded the motion. The motion carried.

2. **Request for an alternative model of school-based decision making (SBDM) from Mount Sterling Elementary, Montgomery County School District.** Roger Marcum moved approval of the alternative model and C.B. Akins seconded the motion. The motion carried.
3. **Approval of Educational Management Organization (EMO).** Division Director David Cook came forward and explained that one of the turnaround options is the educational management organization and that each district would negotiate its own contract if it chooses one of these organizations.

At this point, Jonathan Parrent moved approval to add EdisonLearning, Inc. and Mosaica Turnaround Partners to the list of approved education management organization vendors and to continue Matchbook Learning, LLC on the list. C.B. Akins seconded the motion and it carried.

Review Items

1. **702 KAR 6:110, Claim Reimbursement for School and Community Nutrition Programs.** Associate Commissioner Hiren Desai, Division Director Denise Hagan and Attorney Lisa Lang came forward for this item. It was explained that in a recent appeal, the hearing officer said that the department needs the process/timeline in a regulation relative to the sponsors getting reimbursement and being paid in a timely manner. It was also explained that this regulation will come back for final approval at the June meeting.
2. **Audit Update and Review of Commissioner's and Board's Expenses.** Associate Commissioner Hiren Desai first clarified that the commissioner's expenses are really beyond just his expenses and include the expenses for his entire office. Desai then went over the chart in detail on the commissioner's office expenses. He then moved on to the board's expenses and addressed questions the board had on these items.

Relative to the audit report, Desai reminded the board that the Management Committee decided to deal with audit updates at the April and October meetings. He also noted that the state does a comprehensive audit and that it is just now being completed for 2009-2010 with the next one also being initiated for 2010-2011. Desai explained that the Auditor of Public Accounts looks at the financial pieces plus some technology policies. He noted that the Management Committee had asked how last year's comprehensive audit compares with this year's and he conveyed that the department has been told there are no financial findings at any time. Desai also went over the rest of audits named in the staff note and

updated the committee on where these currently stand. Many of these items would come back for an status update at the October meeting.

CURRICULUM, INSTRUCTION AND ASSESSMENT COMMITTEE MEETING

Action/Discussion Items

1. **Request from Kenton County Board of Education for waiver of 704 KAR 3:340, Commonwealth Diploma Program, Section 2(3)(a) for one student and 2. Request from the Paducah Independent Board of Education for a waiver of 704 KAR 3:305, Minimum Requirements for High School Graduation, Section 2(3)(b).** Coming forward for these waivers were David Cook and Robin Chandler. Mary Gwen Wheeler moved to approve both the Kenton County waiver and the Paducah Independent waiver and Dorie Combs seconded the motion. The motion carried.

Review Item

1. **704 KAR 3:340, Locally Awarded Certificates of Merit for Kentucky Graduations (formerly Commonwealth Diploma Program).** Coming forward for this item were Division Director Michael Miller and Policy Advisor Robin Chandler. It was explained that staff would like to move away from a state-awarded program to a local-awarded certification of merit. Michael Miller stated that a couple of the superintendents on the Local Superintendents Advisory Council felt a state-level award was more meaningful. Overall, he noted that the superintendents continued to advocate for reimbursement of the AP exams. It was also noted that the current program is voluntary and many districts don't participate.

Judy Gibbons asked if the dollars would be distributed to districts and Michael Miller responded that the funds would go back into the gifted and talented fund where they originally were allocated.

Dorie Combs thought that perhaps a merit certificate for the arts should be added.

Both Judy Gibbons and Dorie Combs felt that more input was needed from the field before the regulation comes back in June.

REPORT OF THE MANAGEMENT COMMITTEE ON ACTION/DISCUSSION ITEMS

Brigitte Ramsey moved on behalf of her committee for approval to be given to the appointment of Dana Guyer to the KHSAA Board of Control and for adding EdisonLearning Inc. and Mosaica Turnaround Partners to the list of education management organizations as well as continuing Matchbook Learning, LLC on the list. The board concurred with the motion.

Ms. Ramsey was asked to deal with the request for an alternative model of school-based decision making for Mount Sterling Elementary, Montgomery County School District separately. She moved to approve the request from Mount Sterling Elementary for an alternative model of school-based decision making.

Billy Harper felt that if a staff member is added then a parent should also be added to the council membership.

Ms. Ramsey asked for guidance on this from the department.

Kevin Brown indicated that the board has the final authority for action on this and if it wishes to make a suggestion, it can certainly send it back to the school asking them to add a parent.

Roger Marcum said he felt like the request meets the letter of the law and that the school went through the required process for forwarding this request to the state board.

The question was called and the motion carried with Billy Harper voting no.

REPORT OF THE CURRICULUM, INSTRUCTION AND ASSESSMENT COMMITTEE ON ACTION/DISCUSSION ITEMS

Chair Judy Gibbons moved to approve the request for a waiver of 704 KAR 3:340 from the Kenton County Board of Education and a request for a waiver of 704 KAR 3:305 from the Paducah Independent Board of Education. The board concurred with the motion.

BOARD MEMBER SHARING

The following members contributed items to this section of the agenda:

- Dorie Combs – Ms. Combs was part of a state panel attending a Washington Capitol Briefing. She said that it was awe-inspiring and that they got to speak to different education professional groups and included things that happened in Kentucky.
- C.B. Akins – Vice Chair Akins reported that he, David Karem and the commissioner attended the launch of Project PASS in Hardin County. He said that it was an awesome experience with Secretary Duncan and several generals in attendance. Akins noted that Christian County has one of these projects and said that he attended the launch of their project the following week.

INTERNAL BOARD BUSINESS

The following items were dealt with during this portion of the agenda:

- The board decided to hold a study session on the afternoon of June 7 starting at 1:00 p.m. EDT with three topics being covered during the study session.
- C.B. Akins moved to approve Billy Harper's travel to the Collaborating for Success: Advancing School Health Policies, sponsored by NASBE and Association of State and Territorial Health Officials on April 28-29 in Alexandria, Virginia. Dorie Combs seconded the motion and it carried.
- C.B. Akins moved to approve Jay Parrent's and Dorie Comb's travel to the Common Core Implementation Conference for the Southern Region sponsored by NASBE on June 29-30 at the Greenbrier in West Virginia. Judy Gibbons seconded the motion and it carried.

APPEAL TO THE KENTUCKY BOARD OF EDUCATION OF NONRESIDENT STUDENT AGREEMENT FOR THE 2011-2012 SCHOOL YEAR BETWEEN THE HARLAN INDEPENDENT AND HARLAN COUNTY SCHOOL DISTRICTS PURSUANT TO KRS 157.350(4)(D)

Chair David Karem asked General Council Kevin Brown to come forward and give an overview of the nonresident student appeal process and the appeal itself. Following the overview, oral presentations were presented by Attorney Bob Chenoweth for the Harlan Independent School District and Johnny Ray Turner for the Harlan County School District. A question and answer period occurred next where the Kentucky Board of Education members could ask for clarification from the attorneys and superintendents. Next, deliberation occurred by the Kentucky Board of Education members. At the end of the deliberation, Billy Harper moved to uphold and accept the commissioner's decision and C.B. Akins seconded the motion. The motion carried.

ADJOURNMENT

Jonathan Parrent moved to adjourn the meeting and Dorie Combs seconded the motion. The motion carried.